

February 3, 2023

Via ECF

The Honorable Stewart D. Aaron
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *In re ACTOS Antitrust Litig.* (1:13-cv-09244-RA-SDA)

Dear Magistrate Judge Aaron:

We write on behalf of all parties to the above-captioned litigation in accordance with the Court's December 17, 2022 Order directing the parties to file a joint letter regarding the status of discovery. (ECF No. 454.)

Since the parties' last status letter, Defendants have continued to produce documents to Plaintiffs. The deadline for Defendants to complete their pending document productions is February 14, 2023. (ECF No. 462.) The parties continue to discuss the sufficiency and scope of document productions made to date, and whether any additional motion practice is necessary. The parties have also received further document productions from non-parties pursuant to Fed. R. Civ. P. 45 subpoenas.

As to depositions, the parties have begun to discuss the scheduling of and logistics for both party and non-party depositions. The parties are also discussing which, if any, of Defendants' Japanese witnesses will be made available for deposition outside of Japan, pursuant to the Court's November 5, 2022 Order (ECF No. 447.)

Unless the Court desires otherwise, the parties propose to submit a further report on the status of discovery by March 31, 2023. We appreciate Your Honor's attention to this matter.

Sincerely,

/s/ Steve D. Shadowen

Steve D. Shadowen

Counsel for the Proposed End-Payor Class

/s/ R. Brendan Fee

R. Brendan Fee

Counsel for Defendants

/s/ Thomas M. Sobol

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Counsel for the Proposed Direct Purchaser Class

cc: Counsel of record (via ECF)